

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LASSEN, et al.

Serial No.: 09/978,272

Filed: October 17, 2001

For: ASSAY FOR DIRECTLY DETECTING A RS VIRUS RELATED.

Confirmation No.: 4444

Art Unit: 1648

Examiner: MOSHER, Mary

Washington, D.C.

Atty.'s Docket: LASSEN=2A

Date: February 9, 2004

U.S. Patent and Trademark Office

2011 South Clark Place

Customer Window

Crystal Plaza Two, Lobby, Room 1B03

Arlington, Virginia 22202

Sir:

Transmitted herewith is an [XX] Amendment [] in the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

[XX] Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[] No additional fee is required.

The fee has been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) | | Small Entity | | Other Than a Small Entity | |
|--|----------------------------------|----------|---------------------------------|---------------|--|--------------|----------------|---------------------------|---------------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | | Rate | Additional Fee | | Rate Additional Fee |
| Total | 70 | Minus | 52 | 18 | | x 9 | \$162.00 | | x18 \$ |
| Indep. | 1 | Minus | 3 | 0 | | x43 | \$ | | x86 \$ |
| First Presentation of Multiple Dependent Claim | | | | | | 145 | \$ | | +290 \$ |
| TOTAL ADDITIONAL CLAIMS FEE | | | | | | | \$162.00 | | Total \$ |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petit

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by

37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00

[] Second - \$ 210.00

[XX] Third - \$ 475.00

[] Fourth - \$ 740.00

[] Fifth - \$1005.00

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00

[] Second - \$ 420.00

[] Third - \$ 950.00

[] Fourth - \$1480.00

[] Fifth - \$2010.00

[] Less fees (\$) already paid for months extension of time on

[] Please charge my Deposit Account No. 02-4035 in the amount of \$. A duplicate copy of this sheet is attached.

[] A check in the amount of \$ is attached (check no.).

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$637.00 is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case.

This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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IVER P. COOPER

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|-------------------------|---|------------------------|
| In re Application of: |) | Art Unit: 1648 |
| |) | |
| LASSEN, et al. |) | Examiner: MOSHER, M. |
| |) | |
| Serial No.: 09/978,272 |) | Washington, D.C. |
| |) | |
| Filed: October 17, 2001 |) | February 9, 2004 |
| |) | |
| For: ASSAY FOR DIRECTLY |) | Docket No.: LASSEN=2A |
| DETECTING A RS VIRUS |) | |
| RELATED BIOLOGICAL... |) | Confirmation No.: 4444 |

AMENDMENT UNDER RULE 1.115

FEB 20 2004

U.S. Patent and Trademark Office
2011 South Clark Place
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Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

S i r :

In response to the office action mailed August 8, 2003,
please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this paper.

Remarks begin on page 12 of this paper.

02/13/2004 JADD01 00000076 09978272

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|------------|-----------|
| 01 FC:2253 | 475.00 OP |
| 02 FC:2202 | 162.00 OP |